

**From:** [Angela Carpenter](#)  
**To:** [Denise Zeno](#)  
**Cc:** [Jeff Catanzarita](#); [George Prince](#); [Mcburney, Jonathan D](#); [Leuser, Richard M](#); [Mel Hauptman](#)  
**Subject:** Re: Drilling/Geoprobe Permits in Cabo Rojo  
**Date:** 06/06/2011 11:59 AM

---

Hi Denise,

Jeff is correct - we don't need to get a permit but we comply with all substantive requirements.

Angela

▼ Denise Zeno---06/06/2011 09:33:41 AM---I have access to all of the properties except one for which I'm taking a STD access form with me. D

From: Denise Zeno/R2/USEPA/US  
To: Jeff Catanzarita/ERT/R2/USEPA/US@EPA  
Cc: George Prince/ERT/R2/USEPA/US@EPA, "Mcburney, Jonathan D" <jonathan.d.mcburney@lmco.com>, "Leuser, Richard M" <richard.m.leuser@lmco.com>, Mel Hauptman/R2/USEPA/US@EPA, Angela Carpenter/R2/USEPA/US@EPA  
Date: 06/06/2011 09:33 AM  
Subject: Re: Drilling/Geoprobe Permits in Cabo Rojo

---

I have access to all of the properties except one for which I'm taking a STD access form with me.

Denise Zeno  
US Environmental Protection Agency  
290 Broadway  
New York, NY 10007  
Tel: 212.637.4319  
Fax: 212.637.3083

▼ Jeff Catanzarita---06/06/2011 09:25:13 AM---Hi Denise, As to permits you may want to run this by ORC but the statue is pretty clear:

From: Jeff Catanzarita/ERT/R2/USEPA/US  
To: Denise Zeno/R2/USEPA/US@EPA  
Cc: George Prince/ERT/R2/USEPA/US@EPA, "Mcburney, Jonathan D" <jonathan.d.mcburney@lmco.com>, "Leuser, Richard M" <richard.m.leuser@lmco.com>, Mel Hauptman/R2/USEPA/US@EPA, Angela Carpenter/R2/USEPA/US@EPA  
Date: 06/06/2011 09:25 AM  
Subject: Re: Drilling/Geoprobe Permits in Cabo Rojo

---

Hi Denise,

As to permits you may want to run this by ORC but the statue is pretty clear:

40 CFR 300.400(2)(e) Permit requirements. (1) No federal, state, or local permits are required for on-site response actions conducted pursuant to CERCLA sections 104, 106, 120, 121, or 122. The term on-site means the areal extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action.

Read more: <http://cfr.vlex.com/vid/300-400-general-19822263#ixzz0mDMeeCej>

That said, SG and any temp water sampling does not need a permit, so if I'm incorrect as to the above statue we'd be restricted from collecting only soil cores.

Are all the access issues been resolved? We'll need access to go on others properties.....the region has some std ones perhaps you would like to bring them for people to sign?

Thank you,

Jeff M. Catanzarita  
Environmental Engineer

Tel: 732.906.6929  
Cell: 609-865-0002  
FAX: 732.321.6724  
catanzarita.jeff@epa.gov  
<http://www.ert.org>

United States Environmental Protection Agency  
US EPA- Environmental Response Team  
2890 Woodbridge Avenue, BLDG. 18, MS101  
Edison, New Jersey 08837-3679

=====

"How did I get into the world? Why was I not asked about it and why was I not informed of the rules and regulations but just thrust into the ranks as if I had been bought by a peddling shanghaier of human beings? How did I get involved in this big enterprise called actuality? Why should I be involved? Isn't it a matter of choice? And if I am compelled to be involved, where is the manager—I have something to say about this. Is there no manager? To whom shall I make my complaint?"

*Soren Kierkegaard*

▼ Denise Zeno---06/05/2011 04:03:34 PM--- Jon I need to know by Monday if we are still going to PR. If the subcontractor resolved the ' perm

From: Denise Zeno/R2/USEPA/US  
To: "McBurney, Jonathan D" <jonathan.d.mcburney@lmco.com>  
Cc: Jeff Catanzarita/ERT/R2/USEPA/US@EPA, George Prince/ERT/R2/USEPA/US@EPA, "Leuser, Richard M" <richard.m.leuser@lmco.com>  
Date: 06/05/2011 04:03 PM  
Subject: Re: Drilling/Geoprobe Investigation in Cabo Rojo

---

Jon

I need to know by Monday if we are still going to PR. If the subcontractor resolved the ' permit' issue. Someone said that it can take them up to 2 weeks to put together the paperwork. I'm off from Tuesday -Friday. On Monday I'll becoordinating w police, owners, FWS + other people that need to know we will be there working on sites.  
Thanks

Denise Zeno  
US Environmental Protection Agency  
290 Broadway  
New York, NY 10007  
Tel: 212.637.4319  
Fax: 212.637.3083

-----"McBurney, Jonathan D" <jonathan.d.mcburney@lmco.com> wrote: -----

=====

To: Jeff Catanzarita/ERT/R2/USEPA/US@EPA  
From: "McBurney, Jonathan D" <jonathan.d.mcburney@lmco.com>

Date: 06/02/2011 10:51AM  
Cc: George Prince/ERT/R2/USEPA/US@EPA, "Leuser, Richard M"  
<richard.m.leuser@lmco.com>, Denise Zeno/R2/USEPA/US@EPA  
Subject: Drilling/Geoprobe Investigation in Cabo Rojo  
=====  
Jeff and George,

My subcontractor for Geoprobe services has raised the following concern:

"Based on Puerto Rico regulations, drilling is considered an excavation and you have to request a permit from the One Call Center (Puerto Rico Public Service Commission, Excavation Office). Do we have to consider obtaining this permit? If so, we will need a layout of proposed boring locations, and a letter from the USEPA."

Are we required to obtain this permit?

Thanks,

Jon McBurney